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RUEHSH/AMCONSUL SHENYANG 5052
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C O N F I D E N T I A L SECTION 01 OF 02 TAIPEI 000819

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TAGS: [PGOV](#) [PREL](#) [TW](#)

SUBJECT: PRESIDENT CHEN AND THE CONSTITUTION

REF: A. TAIPEI 677

[1](#)B. TAIPEI 598

Classified By: AIT Acting Director David Keegan,
Reasons: 1.4 (b/d)

[1](#)1. (C) Summary: Since January 1 President Chen has veered rhetorically toward the Deep Green Taiwan independence platform. On March 13, Chen told the Washington Post that he would not block efforts to make independence part of the debate over Taiwan's constitution. His February 27 announcement that the National Unification Council and Guidelines are "ceasing to function (apply)" has been widely reported in Taiwan as "ceasing the NUC and NUG." Chen's motivation is primarily political: to consolidate his base and undermine support for Kuomintang (KMT) Chairman Ma Ying-jeou. Chen admits he can accomplish nothing on sensitive constitutional sovereignty issues over his final two years but is nonetheless putting the issue on the agenda to appease his Deep Green supporters. While realizing Chen's limits, the Deep Green is happy to use him to assist in mobilizing public support for Taiwan independence, which they view as a long-term project. The KMT fears Chen's moves could lose them the 2008 presidential election. End Summary.

[1](#)2. (SBU) On March 13, Chen told the Washington Post that Taiwan needs to review those parts of the constitution that are not timely, relevant or viable, in order to improve governance and enhance competitiveness. He added that the President could not "prohibit the expression of people's opinions. . . . we should adopt an open attitude regarding these sensitive issues of whether to change the national moniker, national territory, or national flag."

[1](#)3. (SBU) Chen then said that such sensitive constitutional changes could not occur at this time because of Taiwan's high bar to any constitutional change, which requires a three-fourths majority in the Legislative Yuan (LY) and then approval by more than half of eligible voters in a referendum. "Consequently," Chen concluded, "we must wait until society is mature enough, with sufficient support from the people and the approval of the Legislature. Only then can we possibly deal with these sensitive issues regarding sovereignty."

[1](#)4. (C) Leo Lee, the new Director General for North American

Affairs at MOFA, called Acting Director late March 14 at the request of Foreign Minister James Huang. Lee said he had been instructed to draw our attention to what the Minister had called the sensational Washington Post article, summarized in the March 14 evening edition of the United Daily News. The translation was titled: "Exclusive Washington Post interview: Chen Discusses the Dream of Taiwan Independence." Huang was concerned, Lee said, that the article quoted the President's words out of context, suggesting the President was in favor of making sensitive changes to the constitution and ignoring the LY and referendum safeguards Chen cited in the interview. (Note: The internet version of the article we have seen does in fact cite those procedural safeguards. End Note.)

15. (C) ADIR assured MOFA that we had examined Post and UDN articles as well as the English and Chinese transcripts. He noted that we attached great importance to the principles of democracy but also to the importance of a president reaffirming his policy commitments. Simply claiming "an open attitude" was not enough.

16. (C) Chen was caught between competing imperatives in talking to the Washington Post, much as he was in dealing with the NUC/NUG (Refs A-B). Having suffered a major electoral defeat in December 2005 local elections, he needs to rebuild his support. He cannot return to the themes of anti-corruption and effective governance he deployed in 2000 because the KMT turned those issues against Chen in the December elections. He cannot directly call for independence because of his need to retain U.S. support and avoid cross-Strait provocations. His solution is to tell the pro-independence base that he recognizes their right to advocate anything in a democracy, including independence.

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17. (C) The Deep Green have gotten the message. Examination Yuan President and DPP elder Yao Chia-wen told AIT recently that his "Hand-in-Hand Alliance" will launch a seminar series throughout Taiwan aimed at discrediting the current constitution and building public support for an entirely new constitution. Over time, this will then build public support and mobilize public pressure on the government. In Yao's view, increased public support can make what is impractical now possible in the future.

Comment

18. (C) The good news is that it is impossible for Chen to make any constitutional changes on sensitive sovereignty issues such as national name, territory, and flag. The bad news is that he is raising these issues nonetheless. He is trying to establish in people's minds the concept that they have a risk-free right to change the status quo by voting for independence. The KMT in particular is concerned that Chen's unrelenting, if indirect, independence efforts will have long-term negative consequences. Over the next two years, it could make the political environment increasingly hostile to any party that advocates any level of cooperation with Beijing, complicating efforts by the KMT to win the presidency in 2008 or to improve cross-Strait relations after the election.

KEEGAN